REMARKS

Favorable reconsideration of this application is respectfully requested.

The Title is amended to be more clearly descriptive of the claimed invention.

Claims 1-17 and 53-69 are pending in this application. Claims 18-52 and 70-104 directed to the non-elected invention are canceled by the present response without prejudice.

Claims 1-5, 7-17, and 53-69 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent 6,822,765 to Ohmori. Claims 6 and 58 were objected to as dependent upon rejected based claims, but were noted as allowable if rewritten in independent form to include all of the limitations of their base claims and any intervening claims.

Applicants gratefully acknowledge the allowable subject matter indicated in claims 6 and 58.

Addressing now the above-noted rejection based on Ohmori, that rejection is traversed by the present response.

Initially, applicants note independent claims 1 and 53 are amended by the present response to clarify features recited therein.

The claims as currently written are directed to an image reading apparatus that can read original documents. The applicants of the present invention recognized that in such systems it may be beneficial to store the read documents for future re-use, i.e., an electronic filing system. In such a type of apparatus, an evaluation of which read sheets form parts of which documents needs to be considered, and the present invention is directed to an efficient system to determine which of read sheets belong in a same document. One general aspect in the claimed invention is to determine document separation, i.e., which read sheets are part of the same document, by a time-out. However, the present inventions recognized that the time set for the time-out is important, and may vary based on whether a document is fed from an

automatic document feeder (ADF) or whether the document is placed on a contact glass sheet. Accordingly, one general aspect of the claimed invention is to use a different time-out time for a case of using the ADF and a case of a user setting a document on a contact glass sheet.[1]

Accordingly, in the claimed invention, and with reference to Figure 3 in the present specification as a non-limiting example, a time to be measured is set according to a predetermined condition, see for example Steps S6 and S14. In a non-limiting example, the condition can be whether a document is fed through an ADF or is placed on a contact glass sheet-by-sheet. Then, in the claimed invention it is determined whether sheets of an original are part of a same document based on the time between reading successive sheets and the time selected (see also the present specification for example at page 30, line 23 to page 31, line 9).

The features clarified in the claims are believed to clearly distinguish over the teachings in Ohmori.

First, Ohmori is not directed to a device even similar to that clarified in the claims in which it is determined whether sheets of an original are part of a same document. Further, the timer of the CPU 101 referred to in column 8, lines 32-36 of Ohmori does not measure a time such as claimed between reading successive sheets.

In such ways, the claims as currently written are believed to be directed to a completely different device than as that disclosed by Ohmori, and are believed to clearly recite features neither taught nor suggested by Ohmori.

Thus, claims 1-17 and 53-69 as currently written are believed to clearly distinguish over the applied art to Ohmori.

[1] See for example the present specification, page 19, lines 5-19.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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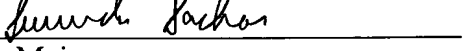

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